

NEVADA CHATTEL MORTGAGE

SMITH CREEK LIVESTOCK COMPANY, a co-partnership, with its principal place of business

residing at ELKO, County of ELKO, State of NEVADA, Mortgagor, (the word "Mortgagor" and the language of this instrument shall, when there is more than one mortgagor, be construed as plural and binding equally on all mortgagors) for and in consideration of Thirty-six thousand and no/100 - - - - - (\$36,000.00) - - - - - Dollars, to said Mortgagor paid by Regional Agricultural Credit Corporation of Salt Lake City, Utah, Mortgagee, does hereby grant, bargain, transfer, sell and mortgage unto said Mortgagee the following described personal property situated in the County of Elko State of Nevada, and described as follows:

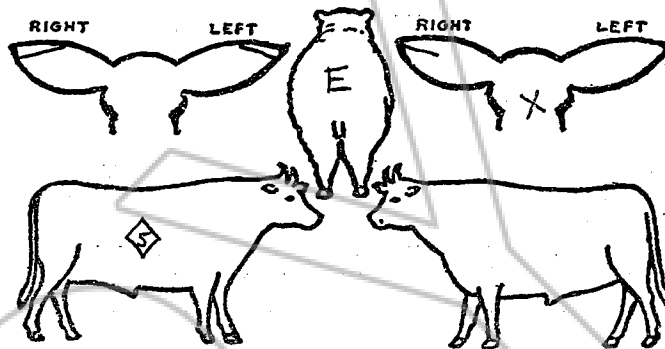
THE FOLLOWING DESCRIBED LIVESTOCK:

Fifty-two (52) head of Hereford and Shorthorn cattle, and thirteen thousand one hundred twenty five (13,125) head of sheep, more particularly described and classified, as follows:

Said livestock bearing one or more of the following described brands or ear marks:

Wool Brand E Cattle Brand ◇

- 4 - steers - age one year
- 4 - heifers - age one year
- 2 - heifers - age two years
- 25 - cows - ages three to eight years
- 1 - cow - age over eight years
- 15 - calves - 1934
- 1 - registered Hereford Bull



- 1200 - ewes - Rambouillet - age one year
- 3097 - ewes - Rambouillet - ages two to five years
- 500 - ewes - ages over five years
- 5200 - Lambs - 1934 Rambouillet & Hampshire
- 128 - rams - Rambouillet and Hampshire

Also all camps and packs, and camp and pack equipment complete, including wagons, harness, saddles, trucks, etc., now or hereafter used in connection with the livestock covered by this mortgage.

- 32 - horses - broke) also 600 tons hay and
- 8 - mules) 10 tons corn now on hand.

Said cattle and horses are all branded thus: ◇ the cattle on the right ribs, horses on left hip; the said sheep are all wool-branded thus: E. The predominating earmark for cattle is upper slope each ear; for sheep and slit right, left full; same mark reversed, all as shown on diagrams hereon. Said sheep bear aluminum tags in right ear.

This mortgage includes all increase and wool crops born or sheared from the above described livestock during 1934 and 1935 and during the full period of this mortgage. During the life of this mortgage the said livestock will retain the above described brands and marks and tags, and all increase therefrom will be branded, tagged and earmarked in like manner.

This is a renewal of that certain chattel mortgage dated July 25, 1933.

This mortgage also includes the 1934 crop of wool now on consignment to National Wool Marketing Association, the proceeds from which are to be applied on the indebtedness secured hereby.

In the case of sheep and cattle all lamb and calf crops (whether now born or unborn) during the period of the mortgage are included.

There is also included all the right, title and interest of the Mortgagor in and to all hay, grain, pasturage and feed, and in and to all range and forest reserve rights, feed, pens, feed troughs and water rights and privileges used or useful in feeding said livestock, also all horses, mules, harness, camps, camp wagons, commissary, outfits, and shearing, lambing, and other equipment used in operating said livestock, and in general all property and equipment now or hereafter used in or in connection with feeding, ranging, watering, lambing, shearing, maintaining, transporting or caring for said livestock, so far as such property is the lawful subject of chattel mortgage, until the indebtedness herein described is paid in full.

All of said livestock may carry other brands and marks than those mentioned, but in any event the above enumeration and description is intended to cover and include all livestock now owned by the Mortgagor, and their increase, and all additions thereto, whether marked or branded as stated or otherwise, or unbranded.

The said livestock during the term of this mortgage will be kept only in the following county or counties and State or States:

White Pine, Elko, Eureka, Nye Counties, State of Nevada

and will not be removed therefrom except with the written consent of the Mortgagee.

ALL CROPS of every name, nature and description which have been or may be hereafter sown, grown, planted, cultivated or harvested during the year 1934 & 1935 upon the following described real estate situated in Elko County, State of Nevada to-wit:

and/or any other farm, pasture or hay land owned by Mortgagors wherever situate in the State of Nevada.

2524.29 acres land owned by mortgagors, located approximately 35 miles SE from Elko, Nevada known as Smith Creek Livestock Company ranches.

The foregoing is qualified to include only the following crops: hay, pasture and supplemental feed crops.

As to crops not planted at the time of the execution of this mortgage, it is the intention of the parties that the mortgage shall take effect upon the said crop when planted.

TO HAVE AND TO HOLD the said property and all of the same unto the said Mortgagee, and its successors and assigns forever.

PROVIDED, nevertheless, this is a mortgage given to secure payment of the following:

No. _____ \$ 56,000.00

Salt Lake City, Utah, August 11, 1934

August 9, 1935 - - - - - after date, for value received we and each of us, jointly and severally, promise to pay to the order of the REGIONAL AGRICULTURAL CREDIT CORPORATION of Salt Lake City, Utah, at its office in the city of Salt Lake, State of Utah, _____

Thirty-six thousand and no/100 - - - - - Dollars,

with interest at the rate of 6 1/2 per cent per annum from date hereof, payable at maturity

In the event this note is placed in the hands of an attorney for collection or suit is brought on the same, or any portion thereof, we and each of us, jointly and severally, further agree to pay such reasonable attorney's fees and costs of collection as may be permitted by law to be charged.

The makers and indorsers of this note severally waive presentment for payment, demand, protest, and notice of non-payment thereof.

(Signed) SMITH CREEK LIVESTOCK CO., a co-partnership

By- J. A. McBride J. A. McBRIDE

(Signed) By- A. G. McBride A. G. McBRIDE

by- Alex Heguy ALEX HEGUY

By- Therese I. McBride J. A. McBRIDE

By- J. A. McBride, Her Attorney in Fact.

(If more than one note describe other notes in following space.)

AMELIE HEGUY

MILDRED D. McBRIDE

Upon default by the mortgagor of any of the terms, covenants, conditions or agreements of this mortgage it is agreed that all of the rights granted the mortgagee, under covenant No. 13 of an Act of the State of Nevada entitled, "An act relating to mortgages on real and personal property, and to provide that certain agreements, covenants, obligations, rights and remedies thereunder may be adopted by reference," approved March 23, 1927, hereinafter mentioned, are hereby granted to the mortgagee herein and extended to all of the chattels herein mortgaged.

Every covenant, stipulation and agreement herein contained shall bind and inure to the benefit of the said mortgagor and mortgagee and their respective heirs, executors, administrators, successors and assigns.

The following covenants: One; Two 10 (Atty. fee) %; Three 6 1/2 (Advances) %; Four; Five; Six; Seven (\$ (Insurance)); Eight; Nine; Ten; Eleven; Twelve; Thirteen; Fourteen; and Fifteen of an act entitled "An act relating to mortgages on real and personal property, and to provide that certain agreements, covenants, obligations, rights and remedies thereunder may be adopted by reference," approved March 23, 1927, (being chapter 109 of the Statutes of the State of Nevada of the year 1927), are hereby adopted and made a part of this mortgage.

Dated this 11 day of August, 1934

SMITH CREEK LIVESTOCK CO., a co-partnership (Seal)

By- J. A. McBRIDE (Seal)

By- ALEX HEGUY (Seal)

By- A. G. McBRIDE (Seal)

By-Therese I. McBride
By- J. A. McBRIDE
Her Attorney In Fact.
AMELIE HEGUY
MILDRED D. McBRIDE

(ACKNOWLEDGMENT-INDIVIDUAL)

STATE OF _____ }
COUNTY OF _____ } ss.

On this _____ day of _____, A. D. 193____, personally appeared before me _____, a notary public in and for _____ County,

known to me to be the person described in, and who executed the foregoing instrument, who acknowledged to me that he executed the same freely and voluntarily and for the uses and purposes therein mentioned.

In witness whereof I have hereunto set my hand and affixed my official seal at my office in the County of _____, the day and year hereinabove first written.

My commission expires _____

Notary Public in and for the County of _____
State of _____ Residing at _____

(AFFIDAVIT-INDIVIDUAL)

STATE OF _____ }
COUNTY OF _____ } ss.

being first duly sworn, deposes and says: that he is (are) the mortgagor described in and who executed the foregoing mortgage, and that said mortgage is made in good faith to secure the amount named therein, and without any intent or design to deceive, hinder, delay or defraud the creditors of the mortgagor.

Subscribed and sworn to before me this _____ day of _____, 193____

My commission expires _____

Notary Public in and for the County of _____
State of _____ Residing at _____

(AFFIDAVIT-MORTGAGEE)

STATE OF UTAH }
COUNTY OF SALT LAKE } ss.

being first duly sworn, deposes and says:

That he is Asst. Secy. & Asst. Treas. of the mortgagee corporation named in the foregoing mortgage, and that as such officer he makes this affidavit on behalf of said corporation; that the aforesaid mortgage is made in good faith to secure the amount named therein and without any design to deceive, hinder, delay or defraud creditors.

A. I. PAUL

Subscribed and sworn to before me this 11 day of August, 1934

My commission expires _____

ETHELBYN B. SARGENT
Notary Public in and for the County of Salt Lake
State of Utah Residing at Salt Lake City

May 1, 1953 (SEAL)

(ACKNOWLEDGMENT—CO-PARTNERSHIP)

STATE OF NEVADA }
COUNTY OF ELKO } ss.

On this 13th day of August, A. D. 1934, personally appeared before me Delpha M. Jewell, a notary public in and for Elko County, J.A. McBride, A.G. McBride, Alex Heguy and Therese I. McBride, by J.A. McBride, Atty. in Fact, known to me to be the person described in and who executed the foregoing instrument in behalf of and as a member of the co-partnership of SMITH CREEK LIVESTOCK COMPANY, who acknowledged to me that he executed the said instrument for and on behalf of said co-partnership freely and voluntarily and for the uses and purposes therein mentioned.

In witness whereof I have hereunto set my hand and affixed my official seal at my office in the County of Elko, the day and year hereinabove first written.

My commission expires
June 18, 1955. (SEAL)

DELPHA M. JEWELL
Notary Public in and for the County of Elko
State of Nevada Residing at Elko

(AFFIDAVIT—CO-PARTNERSHIP)

STATE OF NEVADA }
COUNTY OF ELKO } ss.

J. A. McBride, A. G. McBride, Alex Heguy, and Therese I. McBride by J.A. McBride, Atty. in Fact, being first duly sworn, deposes and says that they are one of the co-partnership SMITH CREEK LIVESTOCK COMPANY, a co-partnership, the mortgagor described in and which executed the foregoing mortgage and that said mortgage is made in good faith to secure the amount named therein and without any intent or design to deceive, hinder, delay or defraud the creditors of the mortgagor.

J. A. McBRIDE, A. G. McBRIDE, ALEX HEGUY, THERESE I. McBRIDE
By J. A. McBRIDE, Attorney in Fact
Subscribed and sworn to before me this 13th day of August, 1934

My commission expires
June 18, 1955 (SEAL)

DELPHA M. JEWELL
Notary Public in and for the County of Elko
State of Nevada Residing at Elko

(ACKNOWLEDGMENT—CORPORATE)

STATE OF _____ }
COUNTY OF _____ } ss.

On this _____ day of _____, A. D. 193____, personally appeared before me _____ a notary public in and for _____ County _____ known to me to be the _____

(President, Vice President or Secretary) of the corporation that executed the foregoing instrument and upon oath did depose that he is the officer of said corporation as above designated; that he is acquainted with the seal of said corporation and that the seal affixed to said instrument is the corporate seal of said corporation; that the signatures to said instrument were made by officers of said corporation as indicated after said signatures; and that the said corporation executed the said instrument freely and voluntarily and for the uses and purposes therein mentioned.

In witness whereof I have hereunto set my hand and affixed my official seal at my office in the County of _____ the day and year hereinabove first written.

My commission expires

Notary Public in and for the County of _____
State of _____ Residing at _____

(AFFIDAVIT—CORPORATE)

STATE OF _____ }
COUNTY OF _____ } ss.

_____, being first duly sworn, deposes and says that he is the _____ of _____ corporation, the mortgagor described in and which executed the foregoing mortgage and that he makes this affidavit for and on its behalf; that the said mortgage is made in good faith to secure the amount named therein and without any intent or design to deceive, hinder, delay or defraud the creditors of the mortgagor.

Subscribed and sworn to before me this _____ day of _____, 193____

My commission expires

Notary Public in and for the County of _____
State of _____ Residing at _____

I hereby certify that this is a true and correct copy of the certain Chattel Mortgage dated August 22, 1934 wherein SMITH CREEK LIVESTOCK COMPANY, a partnership, is Mortgagor, and REGIONAL AGRICULTURAL CREDIT CORPORATION OF SALT LAKE CITY, UTAH, is Mortgagee; that I have carefully compared the original mortgage with this copy.

WITNESS my hand and seal this 28th day of May, 1935.

Anna Holbrook
NOTARY PUBLIC in and for the County of Alameda, State of California

My Commission Expires May 7, 1939

A.M. and received filing number 2164

Wm. RIGSBY Recorder.

(SEAL)

Deputy.

No.

Chattel Mortgage

TO

**Regional Agricultural
Credit Corporation**
of Salt Lake City, Utah

Dated

The within chattel mortgage was filed for record in my office as a chattel mortgage on the 21st day of May, 1935, filing No. 2164 at 45 minutes past 3 o'clock P. M.

William Rigsby
County Recorder.

(SEAL)

County

State of

STATE OF NEVADA)
) ss.
COUNTY OF EUREKA)

(C O P Y)

This is to certify that a duplicate original of that
certain chattel mortgage for \$36000.00, dated 8/11 , 1934,
executed by Smithcreek Livestock Company

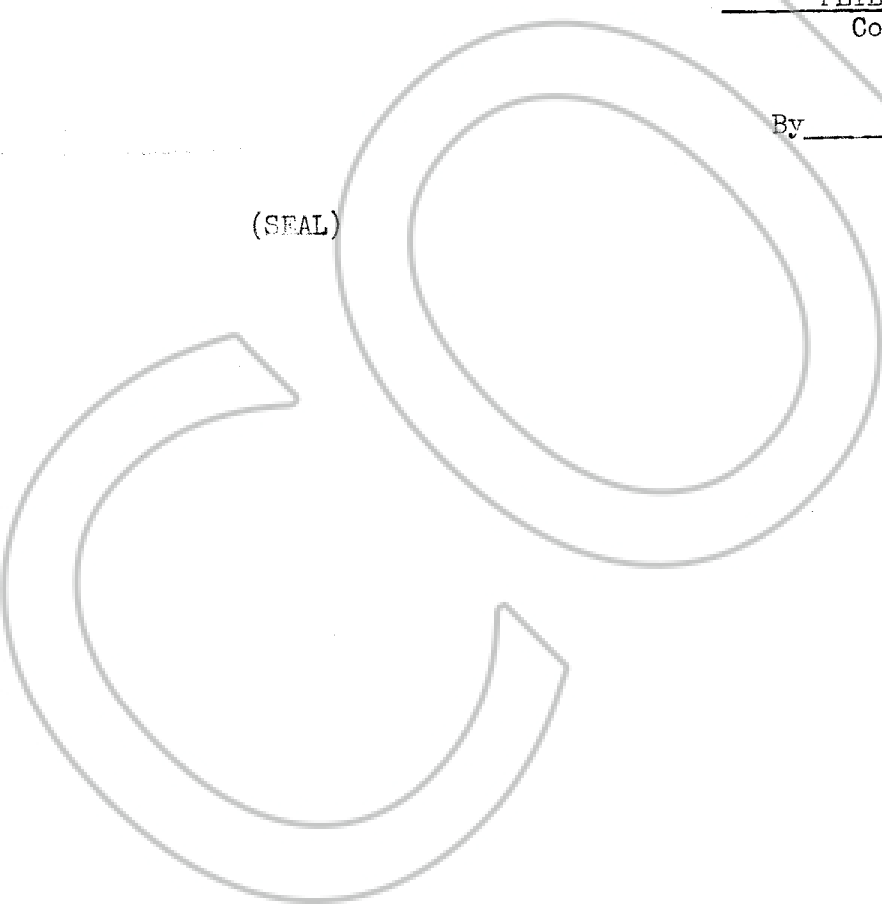
 as Mortgagor
 to
 REGIONAL AGRICULTURAL CREDIT CORPORATION
 of Salt Lake City, Utah
 as Mortgagee

was filed for record as Filing No. 20041, at 30 minutes past
4 o'clock P.m., on the 16th day of August, 1934, as
a chattel mortgage in the records of Eureka County, State of
Nevada.

PETER MERIALDO
County Recorder

By _____
Deputy

(SEAL)



(C O P Y)

STATE OF Nevada)
) ss.
COUNTY OF White Pine)

This is to certify that a duplicate original of that certain chattel mortgage for \$36,000.00 dated Aug. 11, 1934, executed by Smith Creek Livestock Company

As Mortgagor
to
REGIONAL AGRICULTURAL CREDIT CORPORATION
of Salt Lake City, Utah
as Mortgagee

was filed for record as Filing No. 53531, at 5 minutes past 9 o'clock am., on the 18th day of August, 1934, as a chattel mortgage in the records of White Pine County, State of Nevada.

J. O. MCKERNAN
County Recorder

By _____
Deputy

(SEAL)

STATE OF NEVADA)
) ss.
COUNTY OF NYE)

(C O P Y)

This is to certify that a duplicate original of that certain chattel mortgage for \$36,000.00, dated Aug. 11, 1934, executed by Smith Creek Livestock Co.

As Mortgagor
to
REGIONAL AGRICULTURAL CREDIT CORPORATION
of Salt Lake City, Utah
as Mortgagee

was filed for record as Filing No. 30216, at 30 minutes past 11 o'clock am., on the 17th. day of August, 1934, as a chattel mortgage in the records of Nye County, State of Nevada.

LIDA GILBERT
County Recorder

By _____
Deputy

(SEAL)

